

JAPAN INTELLECTUAL PROPERTY ASSOCIATION

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2nd April, 2014

Mr. D.V. Prasad
Joint Secretary to the Government of India
Department of Industrial Policy and Promotion
Ministry of Commerce and Industry
Government of India
Udyog Bhavan, New Delhi-110011,
India

Dear Mr. D. V. Prasad:

Re: The draft Designs (Amendment) Rules 2013

The Japan Intellectual Property Association (JIPA) is a non-governmental organization that was established in 1938, which represents users of intellectual property systems. As an association having about 900 Japanese leading companies, JIPA submits recommendations and proposals to the relevant authorities and organizations with regard to the establishment of intellectual property systems overseas and improvements in the implementation thereof.

In reference to "The draft Designs (Amendment) Rules 2013" on which your Office invites public comments on its Website, enclosed please find JIPA's comment on the draft. JIPA would appreciate it if your Office would take it into consideration.

Your deeply consideration on these matters will be appreciated.

Yours faithfully

(Susumu OSITA)

Managing Director of Japan Intellectual Property Association
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JIPA's comment on the draft Designs (Amendment) Rules 2013

Japan Intellectual Property Association

JIPA do not raise any objection to the increase in the charge but we are very interested in this measure. So, we would request your Office to explain the background of the increase in the charge.

In addition, because the new charge is high (4 times the conventional charge), the increase may be a great burden on companies, mostly which have a small capital base, or which file a large number of design applications. On this account, if enough benefits to meet the increased burden cannot be found, the increased burden might inhibit such companies from filing Design application. In this regard, we concern that the increase in the charge might inhibit promising companies from filing Design applications, resulting in adverse effects on the development of the industries.

Accordingly, if your Office increases the charge, we would suggest your Office to promote substantial improvements in the services (e.g., training of examiners, improvement in examination quality, early introduction of a data retrieval system which deals with all of the registered design drawings) so that the applicants can benefit from the increase in the charge.

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